

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

APPLE, INC. et al.,

Defendants.

Case No. 6:08-cv-447-LED

JURY TRIAL DEMANDED

DECLARATION OF SHAWN G. HANSEN IN SUPPORT OF PLAINTIFF EMG TECHNOLOGY, LLC'S RESPONSE IN OPPOSITION TO APPLE INC.'S MOTION TO VACATE THE DEADLINES IN THE DOCKET CONTROL AND DISCOVERY ORDERS AND FOR A CASE MANAGEMENT CONFERENCE

I, Shawn G. Hansen, declare as follows:

1. I am an attorney licensed to practice in the State of California. I am a partner with Manatt, Phelps & Phillips, counsel of record for Plaintiff EMG Technology, LLC ("EMG") in the above-referenced matter. I have personal knowledge of the following facts. If called as a witness, I could and would testify competently to these facts.

2. Attached hereto as **Exhibit A** is a true and correct copy of an email I sent on November 20, 2009, to Apple's counsel, John Lane.

3. Attached hereto as **Exhibit B** is a true and correct copy of EMG's proposed form of protective order, which was included as an attachment to the November 20, 2009, email of **Exhibit A**.

4. Attached hereto as **Exhibit C** is a true and correct copy of a redline comparison showing differences between EMG's proposed form of protective order and Apple's proposed form of protective order, which was included as an attachment to the November 20, 2009, email of **Exhibit A**.

5. Attached hereto as **Exhibit D** is a true and correct copy of the November 24, 2009, email from Apple's counsel John Lane to me in response to the November 20, 2009, email of **Exhibit A**.

6. Attached hereto as **Exhibit E** is a true and correct copy of an email dated December 18, 2009, from Apple's counsel John Lane to me.

7. Attached hereto as **Exhibit F** is a true and correct copy of an email dated

December 18, 2009, from Apple's counsel Garland Stephens to me.

8. Attached hereto as **Exhibit G** is a true and correct copy of an email dated June 30, 2009, EMG's counsel Stan Gibson to counsel for the Defendants.

9. Attached hereto as **Exhibit H** is a true and correct copy of an email dated December 18, 2009, from Apple's counsel John Lane to me.

10. Attached hereto as **Exhibit I** is a true and correct copy of the Memorandum Opinion and Order dated May 11, 2009, in *Hyundai v. Clear With Computers*, Eastern District of Texas, Case No. 6:08-cv-302.

11. Attached hereto as **Exhibit J** is a true and correct copy of the Memorandum Opinion dated August 11, 2009, in *Mirror Worlds v. Apple*, Eastern District of Texas, Case No. 6:08-cv-88

12. Attached hereto as **Exhibit K** is a true and correct copy of the Memorandum Opinion and Order dated June 22, 2009, in *Document Generation Corporation v. AllScripts*, Eastern District of Texas, Case No. 6:08-cv-479.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 4, 2010 at Palo Alto, California.

Respectfully submitted,

By: /s/ Shawn G. Hansen
Shawn G. Hansen